

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	MB Docket No. 09-182
2010 Quadrennial Regulatory Review – Review of)	
The Commission’s Broadcast Ownership Rules and)	
Other Rules Adopted Pursuant to Section 202 of)	
the Telecommunications Act of 1996)	
)	
Promoting Diversification of Ownership)	MB Docket No. 07-294
In the Broadcasting Services)	

Comments of the Writers Guild of America, East, AFL-CIO

The Writers Guild of America, East, AFL-CIO (the “WGAE”) respectfully submits these comments pursuant to the Commission’s Notice of Proposed Rulemaking released on December 22, 2011. We address ourselves in particular to the relationship between cross-ownership and both localism and viewpoint diversity.

The WGAE represents thousands of members who write feature films, network and cable television programs, radio broadcasts, and digital media. Our members work for the major television and radio networks and stations and for public television, where they write, produce, edit, and create graphics for news and public affairs programs. They write and produce for both network and local newscasts for CBS and ABC, and for Fox local newscasts. This includes material distributed on television, on radio, on the internet, and on mobile devices.

We take issue with the assertion made by various media companies that consolidation of ownership frees up resources to improve news coverage. To the contrary, as a general matter consolidation undermines news coverage because it enables owners to increase efficiency by deploying fewer journalistic resources across more outlets. Thus, even if a particular instance of

cross-ownership might result in a greater number of hours of local news broadcasting, this simply means that fewer stories are distributed through more channels and platforms. There is no substitute for spending on trained, experienced journalists, and giving them the time and resources necessary to investigate, write, and produce material that is well-researched, thoughtful, and reliable. Simply permitting television, radio, internet, or newspaper outlets to combine will inevitably result in less substance, in the absence of clearly-defined requirements that specific levels of resources be devoted to journalism. Nothing in the Notice of Proposed Rulemaking suggests that the Commission has considered imposing any such requirements.

These requirements are more pertinent than ever because of the same economic realities that broadcasters and newspapers have cited to the Commission. Media companies assert that they need more leeway to consolidate outlets in order to withstand downward pressures on advertising and other revenues. Allowing smaller numbers of large corporations to own more and more outlets will enhance the bottom lines of those corporations, but will not result in the investment of additional money in newsgathering and distribution – unless that is required in specific, measurable ways.

Policy goals

In the Notice of Proposed Rulemaking, the Commission seeks “comment on our tentative conclusion not to adopt any policy goals other than competition, localism, and diversity in this proceeding”. We respectfully submit that these goals are meaningless without an additional goal: to increase the resources devoted to diverse, local news programming. This is central to any discussion of the impact of the Commission’s rules “on the availability to all Americans of news and information, including national news and information” and on “investigative

journalism”. Permitting additional consolidation would negatively impact the availability of news and information and would weaken investigative journalism, in the absence of concrete commitments to devote resources to expanding and deepening coverage.

Local Television Ownership Rule

The Notice of Proposed Rulemaking reports that, “According to broadcasters, common ownership can increase viewpoint diversity, as owners of multiple stations seek to capture the greatest possible audience share by diversifying their news and public interest program offerings among co-owned properties.” Broadcasters also assert common ownership allows stations to add newscasts. These assertions confuse quantity with quality. Adding hours of broadcast time per week, and spreading it over a wider variety of outlets, does not enhance diversity or quality, unless staff is expanded and given the independence and sufficient means to do the work. Fewer newswriters, editors, reporters, camera crews, and producers means fewer independent voices; less time and effort devoted to investigation and production of quality pieces; fewer opportunities to explore contrary points of few or overlooked facts; and less time and energy to sharpen questions and make stories more compelling to the viewer.

These are not abstract concerns. Newsrooms around the country have experienced unprecedented staff reductions, through attrition and layoff. The remaining resources are deployed across stations. In collective bargaining in 2010 CBS insisted on the right to assign Writers Guild members to write stories, not only for their own stations, but for all other CBS-owned stations in the relevant markets. Thus, a newswriter for WCBS-AM might be assigned pieces to be aired on WCBS-TV; a piece created for WFAN (sports radio) might appear on WINS-AM (news radio). As discussed below, CBS has consolidated its Internet operations in all

major local markets. That is, a single website presents Internet content for all CBS-owned television and radio stations in the market. There is nothing wrong with this, *per se*, but it contradicts the notion that consolidation begets diversity.

The Notice of Proposed Rulemaking seeks comment on the effect of the Internet on local television stations – in particular, “whether the development of local and hyperlocal websites should alter” the analysis that Internet alternatives compete mostly at the national level and not locally; and whether “there is evidence that viewers find broadcast television stations to be interchangeable with new technologies.” We respectfully submit that these questions are related to those posed in connection with the television/newspaper cross-ownership issues raised by the Notice of Proposed Rulemaking, including the following point made by Steve Waldman and his colleagues: “Although consumers are turning increasingly to the Internet for news and information generally and seeking new platforms on which to access local news, the websites most frequently viewed for news and information are affiliated with legacy media.”

However economists might describe the divergence between Internet news sites and broadcast news, broadcasters themselves believe that the distinction is meaningless. Their view is that news is increasingly platform-neutral. Our members at CBS and ABC write for both broadcast and Internet. In some cases, lower-level management of broadcast and Internet operations is somewhat separate, but that is often not the case, and the actual content flow is direct and immediate.

As noted above, CBS has consolidated its Internet operations. A single team, augmented by station newswriters, runs a single website presenting all Internet content for all CBS-owned stations in a particular market. It appears that the local Internet operations are also coordinated

by national management. In other words, these important web sites, which consumers rely on for local news, are completely integrated with broadcast stations, locally, and with networks, nationally. This has significant implications for localism and diversity.

The Notice of Proposed Rulemaking also asks, “Is the relevant product market expanding from a video-only market to one that also contains non-video sources of local news and information?” The broadcaster-owned websites to which our members contribute content contain both video and non-video content. In some cases, the non-video content consists mostly of introductory and wrap-around text, but often the text expands beyond what is presented in the video clips and streams. The websites are not simply on-line vehicles for distributing stories that are also broadcast on-air.

Conclusion

Increased consolidation of media outlets continues to undermine localism and reduce the diversity of voices presenting news and public affairs programming. Combined with downward economic pressures, consolidation reduces the resources made available to do the investigating, writing, shooting, editing, and producing necessary to provide useful, informative, reliable news and public affairs programming to the American public. Unless media consolidations are accompanied by specific, measurable commitments of additional resources to these tasks, the public interest will not be served.